United Nations CRC/C/SYC/5-6

Convention on the Rights of the Child

Distr.: General
27 February 2017

Original: English
English, French and Spanish only

Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 44 of the Convention

Combined fifth and sixth periodic reports of States parties due in 2016

Seychelles*

[Date received: 13 June 2016]

* The present document is being issued without formal editing.

GE.17-03224(E)

Please recycle

Contents

		Page
	Executive Summary	3
I.	Background to the combined fifth and sixth periodic reports	3
II.	General measures of implementation	4
III.	Definition of the child	15
IV.	General principles	15
V.	Civil rights and freedoms	17
VI.	Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)	18
VII.	Health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)	20
VIII.	Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)	25
IX.	Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)	26
X.	Ratification of international human rights instruments	30
XI.	Cooperation with regional and international bodies	30
XII.	Follow-up and dissemination	30
	List of references	32

Executive Summary

I. Background to the combined fifth and sixth periodic reports

1. This is the Seychelles combined fifth and sixth periodic report to the Committee on the Rights of the Child (the Committee) submitted under Article 44, paragraph 1 of the Convention on the Rights of the Child (the Convention). This report is due in April 2016.

2. The information included in the report is mainly in response to the Concluding.

Observations and Recommendations made by the Committee on the Rights of the Child on the second, third and fourth combined state report submitted in 2011. However, the report also contains information on important developments that have taken place in the protection and promotion of children's rights since the last report.

3. The second, third and fourth combined report covered the period 2002-2007. This report covers the period 2008 to 2015. The content of this report reflects the contribution of key stakeholders with regard to how the country has performed in undertaking its obligations under the Convention. The report also outlines the challenges to improving the situation of children throughout the country.

Context and methodology

4. The Seychelles was amongst the first countries to ratify the Convention on the Rights of the Child in 1990, thereafter adopting two key strategic frameworks to implement specific components of the Convention a plan of action expanding from 1995 to 2000 and a second plan expanding over the period 2005-2009.

5. Since the initial ratification the Seychelles Government has gone on to ratify the Optional Protocol on the Involvement of Children in Armed Conflict in 2010 and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography in 2012. The State is currently in the process of considering the ratification of the Optional Protocol on the Communications procedure which came into force in 2014.

6. The Committee considered the initial report of Seychelles (CRC/C/3/Add.64), submitted on 7 February 2001, at its 815th and 816th meetings (see CRC/C/SR.815 and 816), held on 23 September 2002. The second, third and fourth combined report was considered at its 1654th and 1655th meetings (CRC/C/SR.1654 and 1655), held on 28 September 2011, and adopted, at its 1668th meeting, held on 7th October 2011, the concluding observations.

7. This report was compiled through wide consultations with government agencies and civil society organisations involved in the implementation of the Convention. The general public including children had the opportunity to contribute to the process of finalising the report.

8. In order to ensure transparency and continuity in reporting, this combined report has the same structure as the reports before it.

9. The submission of the fifth and sixth consolidated report of Seychelles on the implementation of the Convention is a further demonstration of the Government's full commitment to the international mechanisms responsible for ensuring the rights of the most vulnerable.

10. In 2008 Seychelles went through a major economic reform with the devaluation of the rupee and liberalisation of trade. To accommodate for the socio economic impact of

these reforms welfare safety nets were strengthened to reach those most vulnerable. In 2012 the Government initiated a Social Renaissance campaign geared towards social transformation and through the Social Affairs Department spearheaded the development through extensive consultation of an action plan (2011-2016) which has placed on the national agenda some of the most serious social concerns.

11. In 2015 Seychelles graduated to a high income status. Whilst this demonstrates Seychelles resilience in overcoming the economic challenge in the recent years, this also means that the country is less likely to receive support from donor organizations to maintain its social programmes.

12. According to the last National Census conducted in 2010 Seychelles has a population of 90,945 out of which 28, 499(31%) were children.

II. General measures of implementation

A. Measures to address previous recommendations

The committee's previous recommendations

13. The Committee made a number of recommendations from the initial state report that the State failed to implement by the presentation of the second, third and fourth consolidated state report. The Committee after reviewing the second, third and fourth combined report emphasised the need to implement past recommendations on the following topics:

(i) Minimum age of marriage,

(ii) Coordination,

(iii) Non-discrimination,

(iv) Respect for the views of the child,

(v) Family environment,

(vi) Children with disabilities,

(vii) Adolescent health,

(viii) Drug and substance abuse,

(ix) Sexual exploitation.

14. The Seychelles' Government has actively sought to address the past recommendations of the Committee. During this period the Plan of Action on Children (2005-2009) continued to be implemented. A new plan with emphasis on strengthening the family as the basic unit of society (the Social Renaissance Action Plan) was launched in 2011.

15. Proposals to review the minimum age of marriage for girls to bring it at par with that of boys (18 Years) were approved by the Cabinet of Ministers in June 2014. The proposal will be integrated within the review of the Civil Status Act; an exercise being undertaken by the Ministry of Home Affairs presently.

16. The Social Affairs Department which is the government department mandated to protect children has not found the need to create new mechanisms for coordination of children rights issues during the reporting period but has instead strengthened the existing

structures. In 2012 the 'Working Together Manual for Child Protection'[1] was reviewed by stakeholders and updated to take in emerging issues and challenges in the child protection field and strengthen collaboration. The Manual is supported by two important multi stakeholder structures, the Interagency Committee and the Social Services Committee where the former is the platform where professionals in child protection discuss child protection cases and the latter is also a platform of professionals in child protection where reports requested by the tribunal and court are discussed before finalization and submission.

Values for one, values for all

17. In 2014 the Seychelles National Youth Council launched a values programme. It is a programme aimed at promoting good values developed by youths for the youth. The programme has proven a success (results from the National Youth Survey 2014-2015 shows that more than 90 percent of the young people acknowledged the importance of Living Values and about 30 percent claimed that the Values Programme has had a positive effect in their work or school environment)and continues to be implemented with new sets of values chosen each year and one celebrated each month through different activities organized with the participation of young people from all corners of the country.

18. The Committee also made recommendations in regards to non-discrimination. The Constitution of the Republic of Seychelles; the supreme law of the land promotes non-discrimination. Extensive work was undertaken from 2013 to review the Civil code and amongst its considerations are the elimination of terms and provisions that discriminate including the term *illegitimate* used to refer to children born outside wedlock.

Adolescent health

19. The government is finalizing a National Adolescent Sexual and Reproductive Health Policy. It is the first policy in Seychelles to focus solely on improving sexual and reproductive health, well-being, and quality of life of the country's adolescents and youth. The ASRH Policy is a foundation for initiatives that integrate sexual and reproductive health concerns for adolescents and youth into the national development process, and enhance their participation in that process. It seeks to ensure that adolescents who are sexually active have the appropriate services and information to allow them to make good choices and address the concerns between the ages that children are engaging in sex and access to reproductive health services. The National Commission for Child Protection is active in pushing forward this process.

B. Measures adopted to bring national legislation in compliance with the provision of the Convention

Legislation

20. *The Committee urges the State party to:*

(a) *Accelerate the amendment of the remaining legislation that contradicts the Convention and ensure that all the principles and provisions of the Convention are fully incorporated in to the domestic legal system.*

21. In accordance with the recommendations of the Committee, Seychelles has continued its efforts to reform legislation and regulatory frameworks to ensure conformity

[1] The working together manual outlines the procedures for joint working arrangements, providing guidance on child protection in specific circumstances. It is intended to provide a national framework within which agencies agree on ways of working together.

with the Convention. Here follows a summary of the most significant legislative and regulatory measures aimed at strengthening the protection of children's rights introduced during the reporting period. Included also are legal frameworks which were being developed during the period under review.

Institute for Early Childhood Development Act

22. The Act was promulgated in 2014 to establish an Institute for Early Childhood Development (IECD). The Institute's purpose is to implement the Seychelles Framework for Early Childhood Care and Education, promote the holistic development of children from 0-8, and coordinate the development, implementation and evaluation of national action plans and related programmes in collaboration with sectors in Early Childhood Care and Education (ECCE). The Act also provides for the regulation of the child minding sector.

Education Act 2004

23. The Education Act 2004 is undergoing major review. One amendment of significance to past recommendations of the Committee is the inclusion of provisions relating to corporal punishment. The provisions are meant to ensure that no person employed either part time or fulltime by a school is allowed to administer corporal punishment as a disciplinary measure. This will give strength to the policy of the Ministry of Education which promotes violence free schools and forbids infliction of corporal punishment by staff members.

Community service orders

24. In 2014 the National Assembly approved the Probation of Offenders Act (Amendment) Bill 2014. The Act and its corresponding Regulations adopted in 2015 introduces the legal framework for Community Service Orders. It recognizes the limitations of correctional measures of incarceration and adopts community-based responses to handling misdemeanors. Community Service Orders will only be used for lesser offences and as a means of 'diverting' defined categories of offenders including children in conflict with the law from the penal system.

Prohibition of Trafficking in Persons Act 2014

25. The Prohibition of trafficking in person was enacted in April 2014 after wide consultation. The Act:

- Seeks to domesticate the protocol to Prevent, Suppress and punish trafficking in person especially women and children.
- Prohibits and penalizes all forms of trafficking in persons with stringent punishment where the victim is a child.
- Takes into account aggravating circumstances.
- Provides measures to protect and assist the victim and presumed victim of trafficking in persons through witness protection, in camera proceedings, restriction on publication ad protection of the identity of the victim or resumed victim.
- Provides for repatriation and non-liability of victims.
- Provides for repatriation and liability of victims.
- Provides for compensation to victim of trafficking.
- Establishes a National Coordinating Committee to monitor, ensure coordination among agencies and recommend implementation of the Act among other functions.

Employment Act

26. The Labour Department is in the process of developing a list of hazardous work for children to be included within the Employment Act. The proposed list has been developed through wide consultation with key stakeholders.

Public Health Act 2015

27. The Act makes provision for the regulation of health services including ensuring that all practices delivering health related services are registered, inspecting all health related services for regulatory purposes, ensuring the promotion of preventive health services, ensuring the prevention and emergence of vector borne diseases, ensuring the promotion of food safety and standards; ensuring that pharmaceutical and medicinal products imported into Seychelles are of acceptable quality and meet the required standards, ensuring comprehensive and integrated disease surveillance to prevent and control disease outbreaks and ensuring that health research conform to the highest scientific and ethical standards.

Children Act

28. The Children Act is undergoing a review to improve the protection of children that the law affords. The proposals that have been approved by the Cabinet of Ministers for inclusion in the review include repealing provision relating to corporal punishment, introducing provisions in relation to inter country adoption and parental abduction.

Paternity leave

29. Paid paternity leave of five consecutive working days was introduced in 2015. This leave is given only on the basis that the father has acknowledged the child. The leave must be taken within a period of four months after the birth of the child, regardless whether the child has been born within the territory of Seychelles or not.

Semi orphan benefit

30. This new statutory social security benefit was created in 2015 to address the resulting loss of income that ensues once a child loses one parent. The benefit provides automatic and direct assistance per child following the passing away of one of their parent providing that key conditions are met. The Agency for Social Protection is implementing this provision in close collaboration with Social Services Division.

31. The **Agency for Social Protection Standard Measure Regulations** was amended in March 2016 to create a new day care assistance scheme. This measure is expected to assist more parents who find themselves in financial difficulties to meet their child care needs.

C. Measures to improve coordination

Coordination

32. The Committee recommends that the State party take necessary measures to:

(a) *Provide the coordinating Ministry adequate support, including human, technical and financial resources to fulfill its role effectively at national and district levels;*

(b) *Urgently review the mandate, membership and working conditions of the National Commission for Child Protection.*

33. The Social Services Division is mandated to provide services to protect children. A social worker is based in each district to ensure that services are close to the community.

Human resource constraints continue to be a significant challenge for the Ministry with social workers often leaving the service due to burn out.

34. Pursuant to the recommendation of the committee the National Commission went under some transformation in terms of membership and meeting frequency. The review emphasised the need for the Commission to be a high level forum so that important decisions in relation to children can be expedited. The commission therefore has as membership; three Ministers, the Attorney General, and the Police Commissioner amongst other high level public figure. New members have been introduced, the latest being high level representation of the Institute of Early Childhood Development.

35. The commission has from 2012 to 2014 examined the 2011 Concluding Observations and discussed its implementation, pushed the development of a database to manage cases on children , contributed to the efforts to domesticate the Convention and overseen the process of compiling this 5th & 6th consolidated report.

National Plan of Action

36. The Committee recommends that the State party:

(a) *Adopt a new national plan of action in relation to children's rights under the Convention on the basis of an evaluation of the implementation of the 2005-2009 plan and with linkages to the national strategy for development and provide for its effective implementation, monitoring and evaluation.*

37. The Plan of Action for Children for 2005-2009 represented the commitment of the Government to ensure the continuous development and well-being of all Seychellois children. The Plan originated from the dedication of 2005 by President James Michel as the year of children under the national theme "Our Children, Our Treasure, Our Future". The plan of action was successful at many levels. As a result of the plan, 2005-2009 saw the introduction, amendments and review of legislations, policies and frameworks; the creation of structures within organisations and the introduction of tools to improve the well being of children in Seychelles. Noteworthy actions that have assisted in creating a better landscape for children include the Child Wellbeing Survey and the Child Development Centre.

38. A review of the plan was carried out in 2012 but this has not led to a new plan. Some of the needs in relation to children have been integrated into the following plans.

- National ECCE Plan.
- National Action Plan on Social Renaissance.

39. Actions that were outstanding have been integrated into sector plans.

Seychelles Framework for Early Childhood Care and Education (ECCE)

40. This framework was developed as a direct result of Seychelles participation in the UNESCO World Conference on Early Childhood Care and Education. It placed ECCE on the national agenda. It is based on international guidelines and at the same time adapted to the Seychelles context of parental needs and child care provision. The framework places the child at the centre of programme development and service delivery, thus ensuring the child rights. It also emphasizes the importance of play in learning, parental involvement at every step of child development, and community participation in the provision of ECCE. It sets the vision of 'a winning start' in life for all children in Seychelles'.

National Action Plan on ECCE 2013-2014

41. The National Action on ECCE 2013-2014 was the first plan to emanate from the Seychelles Framework on ECCE. It adopted a multisectoral approach. It established an

ECCE focus in different sectors. Each sector contributed to the development of the national plan with actions that relate to the development of policies and programmes in priority areas such as detection and intervention, accountability and monitoring, training and access and community involvement and parental participation in the field of ECCE. Through the implementation of the plan sectoral projects have been designed and realised, and collaboration between sectors have been strengthened for the development of ECCE provision in Seychelles.

National Action Plan on ECCE 2015-2016

42. Findings of the evaluation of this plan have been used to develop the National Action Plan on ECCE 2015-2016. This follow up plan focuses on the holistic development of children at early childhood through the improvement of programme and services that have a direct impact on their wellbeing and through research activities geared towards creating an enabling environment for quality ECCE.

The Education Sector Medium Term Strategy 2013-2017

43. The development of the Education Sector Medium Term Strategy for the period 2013-2017, follows a recommendation from the Education Reform Plan 2009-2010. It lays out the Ministry of Education's goals for the further transformation of the education system, and identifies the main areas of action in the short and medium term in order to realize these goals.

The development of a National Human Rights Action Plan

44. Seychelles is in the process of finalizing its National Action Plan for Human Rights aimed at reducing gaps and building a stronger culture of human rights. The plan incorporates the majority of the recommendations from various human rights treaty bodies that Seychelles is a party including the Convention on the Rights of the Child and the UPR. Children are featured under Pillar 4 of the action plan within the scope of vulnerable groups.

45. **A National Framework on Orphans, Vulnerable Children and Youth** is being developed.

46. This is with the view of localizing the SADC Minimum package of Services on Orphans, Vulnerable Children and Youth. The framework will outline the legal, policy, programmes and services related to this vulnerable group.

Independent monitoring

47. The Committee recommends that the State party

(a) *Review the mandate of the National Human Rights Commission with a view to ensuring that children's rights are explicitly covered and given priority;*

(b) *Ensure that the State party ensure that the National Human Rights Commission is empowered with appropriate mechanisms to receive and investigate complaints from or on behalf of , children regarding violations of their rights in all areas covered by the Convention.*

The National Human Rights Commission

48. The National Human Rights Commission has been under pressure to become more visible and effective. A review of the structure have identified that its challenges is to a great extent due to budgetary and human resource constraints. With the support of the state and the international partners the commission is in the process of reviewing its legislative

framework. This is in view of strengthening the institution and in order to make the National Human Rights Commission fully Paris Principles compliant.

Allocation of resources

49. The Committee recommends that the State party in planning its future budgets:

(a) *Allocate adequate budgetary resources to the maximum extent possible in accordance with article 4 of the Convention for the implementation of the rights of children and in particular increase the budget allocated to the social sectors;*

(b) *Build capacity to utilize a child rights approach in the elaboration of the State budget and implement a tracking, monitoring and evaluation system for the allocation and the use of resources for children by all relevant sectors throughout the budget, thus providing visibility to the investment on children. The Committee also urges that this tracking system is used for impact assessments on how investments in any sector may serve the best interests of the child, ensuring that the differential impact of such investment on girls and boys is measured;*

(c) *Conduct a comprehensive assessment of budget needs and establish clear allocations for those areas that progressively address the disparities in indicators such as gender, disability and geographical location related to children's rights;*

(d) *Define strategic budgetary lines in general and sectoral allocations for children in disadvantaged or vulnerable situations that may require social measures (such as girls and children with disabilities) and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies.*

50. The Ministry of Education and Ministry of Health continues to receive the highest percentage of the national budget. The government has begun to implement the Programme Based Budgeting which is expected to allow for better follow up of public sector spending in different areas including investments made in children.

Child rights and the business sector

51. The Committee recommends that the State party:

(a) *Ensure that the business sector complies with international and domestic standards on corporate social responsibility and it adopt preventive measures to protect children from violations of their rights arising in particular from the tourism and fisheries industries;*

(b) *To consider regulating business activities, including by establishing the obligation to conduct social and environmental impact assessments prior to new economic agreements with or investments by these and other industries;*

(c) *Encourage operators in the travel and tourism industry to adopt a Code of Conduct to respect the rights of children;*

(d) *Be guided by the UN Business and Human Rights Framework which was adopted unanimously in 2008 by the Human Rights Council and which outlines the duty of States to protect against human rights abuses by businesses; corporate responsibilities to respect human rights; and the need for more effective access to remedies when violations occur.*

52. The Social Affairs Department is in the process of developing a Social Impact Assessment Framework through a grant from the African Development Bank. It is expected that this will make social impact assessment a compulsory requirement for the planning and development of certain classes of infrastructure. At present Social Impact Assessment is a

small component of Environmental Impact Assessment under the Environmental Protection Act 1994.

53. In January 2014, Seychelles welcomed the Special Rapporteur on Trafficking in Persons, especially Women and Children, Ms Joy Ngozi Ezeilo. Ms Ezeilo made some recommendations towards the strengthening of the legislative and policy framework in order to successfully combat trafficking in persons. The Government welcomed the critical and conducive discussions on this matter and has been relentless in its effort to address the shortcomings.

54. In 2014 Seychelles launched its National Strategic Framework and Action Plan to Combat Trafficking in Persons reflecting the Government's strong commitment to fulfil Seychelles' international obligations assumed under relevant international instruments to combat this heinous crime. This followed the adoption of the Prohibition of Trafficking in Person Act which was promulgated in April that year. This Act does not only combat the crime of trafficking in persons through prosecution of perpetrators, but places strong emphasis on the protection of victims and putting in place of prevention measures.

55. The sub regulations of Regulation 21 of the Conditions of Employment Regulations 1991 allowing children aged 12 to 14 years to participate in work schemes organised for school children on vacation or holidays and to undertake light duties have been repealed in 2000 to ensure that children within those ages focus purely on their education until they reach working age at 15.

D. Measures to improve data collection

Data collection

56. The Committee recommended that the State:

(a) *Build the capacity and establish a comprehensive data collection system capable of analyzing and evaluating data on progress achieved in the realization of child rights and providing a basis for designing policies and programmes to implement the Convention. The data should be disaggregated by age, sex, geographic location, ethnicity and socio-economic background of all children;*

(b) *Provide information on progress on the development of the "Child Well Being" project and the follow-up to its initial research;*

(c) *Take necessary measures, in cooperation with other countries in the region and the international community, to re-activate the Observatory.*

Child Wellbeing

57. The Child Wellbeing Survey came up with a wealth of information. It was expected that stakeholders would give meaning to the result by using it to improve their programmes and policies with evidenced based information. The measurement of children's well-being was envisaged to assist in keeping up efforts to improve children's and young people's quality of life, achieving goals set, encourage sustained focus on the challenges, give early warnings of failure and success, encourage advocacy, increase accountability and help to allocate resources more effectively. An evaluation was carried out in 2012 to establish how different sectors working directly or indirectly with children had made use of the findings of the survey. The review showed that the survey findings had been disseminated widely. As a result student often used it in their research and organisations often quoted it in reports and concept papers. However the review also showed that result of the survey was not used by the relevant agencies as much as it should have to influence their work plan.

Indian Ocean Child Rights Observatory

58. The work of the regional observatory was impeded by the lack of funding. Despite its efforts the secretariat based in Mauritius was not able to find alternative donors and the programme had to be abandoned.

The Seychelles Child Development Study

59. The Seychelles Child Development Study is an international research partnership involving the Seychelles Government (mainly the Ministry of Health and the Ministry of Education), the University of Rochester in New York State, USA and the University of Ulster in Northern Ireland.

60. The study was launched in 1985. It aims to study the effects of the Seychellois diet, rich in fish, on children's development and health, and provides a wealth of information on the benefits and possible risks of fish consumption.

61. Results from the research demonstrate the good health and development of Seychellois children and support existing knowledge about the factors influencing early childhood development (including maternal age and education, gender, home environment, socio economic situation). The data shows variation in abilities and performance of children.

62. There is no evidence that overall child development is adversely affected by the low level of mercury exposure from the maternal fish diet.

Special Needs Survey

63. In 2013 the Rehabilitation Services of the Ministry of Health conducted a survey to identify children with special needs from the age 0-5 and establish their needs. 226 children were identified and thoroughly assessed and those who could benefit from some type of special aid were also identified for further intervention.

Childminding Survey

64. A nation-wide study on the status of the services offered by child minders was carried out in 2013. Findings were shared in a conference held under the theme 'Seychelles Childminding Conference: Sharing results with partners' in February 2014. The results have helped to identify weaknesses and challenges of the child minding services in the country so that actions may be taken to address these concerns and to reinforce the good practices.

65. Seven thematic areas emerged from the study to provide policy direction for the child minding sector. These areas are, registration and support, health and safety, financing and service costs, early learning, staffing and training, parents and childcare, and quality service provisions.

Data base on children

66. A data collection and management system is being developed for the Social Affairs Department by the Department of Information, Communication Technology. The data collection system has been set up in some districts where community social workers are based for piloting. It is expected that once piloting is finalized and all issues have been addressed all cases relating to children will be recorded within this data base. All social workers will be trained to use this system.

E. Measures to promote public awareness of the Convention

1. Measures to promote the principles and provisions of the Convention

67. *The recommendations made by the Committee were:*

(a) *Take necessary measures, including a study of the socio-cultural factors that may impede the full implementation of the Convention;*

(b) *To implement appropriate information and communication programmes, including campaigns, to strengthen awareness and deepen the knowledge of the public at large on the principles and provisions of the Convention;*

(c) *To intensify its efforts to disseminate the Convention to parents, the wider public and children, including through appropriate materials tailored specifically for children in different communities as well as to legislators and judges with a view to ensuring that the principles and provisions of the Convention are applied in the legislative and judicial processes. In this regard, the Committee further encourages the State party to seek technical assistance from, among others, UNICEF, OHCHR and IPU.*

68. The Social Affairs Department had a monthly TV documentary entitled *konekte* which translates into *connect*. This documentary was used to sensitise the public on different issues that relates to family and children.

69. Annually, the Social Affairs Department publishes its Social Work in Action magazine which is also a tool used to sensitise about child protection issues, imparting tips on how to prevent such occurrences.

70. To mark the 25th anniversary of the Convention on the Rights of the Child in 2014, a series of seven half hour documentary to highlight the principles of the convention and its impact on the lives of children and their families and the implication for various government departments was aired on the national television channel (the Seychelles Broadcasting Cooperation). In 2015 arrangements were also made with different Ministries to continue the production of 5 new television programmes explaining the Concluding Observations and other aspects of the Convention.

71. In 2014 the Social Affairs department in partnership with other agencies involved in child protection launched a vigorous education campaign aimed at reemphasizing the role of the community as a key stakeholder in the fight against child abuse, educating parents and guardians on practices that can help prevent child abuse, educating the public on the services available and promoting responsible parenting. The campaign was founded on the principles of the Convention and different articles of the Convention was explained and promoted to the target audiences. These culminated into a child protection march with the participation of different organisation including children themselves.

72. The National Council for Children conducted the Training of Trainers Course for Educators in both the schools and at the Ministry of Education's Headquarter. This is helping the educators to promote children's rights across the different sectors of the education system.

73. Citizenship Education was introduced in all schools up to Post Secondary level in 2012. Students learn about the different local laws, regulations and the human rights instruments that the country is a party to including the Convention on the Rights of the Child.

74. The Whole School Behaviour Management Policy and Pastoral Care Structures in place in all primary and secondary schools promote the rights of children. Training on the Pedagogy of Inclusion for Special Education Needs Coordinators place due emphasis on the a rights based approach to teaching and learning.

2. Measures to circulate the report among the public (art. 44.6)

Training

79. The Committee recommends that the State party:

(a) Take necessary measures for the systematic training of all professionals, national and foreign, working with and for children at national and district levels on the principles and provisions of the Convention;

(b) Seek technical assistance in this regard from, inter alia, UNICEF and OHCHR.

76. Training of professionals in child protection is planned each year. Trainings are carried out by local consultants as well as the National Council for Children.

77. Following the increase in reported cases of child abuse towards the end of 2014, increased emphasis was placed on training in this area by the National Council for Children. In order to reach out to a wide target group, trainers from different organisations were trained to deliver training on child protection and the Convention on the Rights of the child. They in turn roll have out the training to colleagues, partners and clients within their respective sectors. The programme has created a pool of 66 trainers empowered to deliver training in child protection and on the Convention on the Rights of the Child.

Cooperation with civil society

78. The Committee recommends that the State party:

(a) Take necessary measures to increase and strengthen its capacity to implement its obligations under the Convention in close cooperation with NGOs and other the civil society organizations and children themselves;

(b) To establish a framework for cooperation with NGOs ensuring a focus on the principles and provisions of the Convention and the role of NGOs in policy formulation, budget discussions and other decision making affecting children, as well as the monitoring and evaluation of the implementation of the Convention.

79. The Government signed a memorandum of understanding with the national NGO platform then known as the Liaison Unit for Non Governmental Organisation in 2008. This platform grouping NGOs has been revamped in 2015 and is now called the Citizens Engagement Platform Seychelles(CEPS). The government works closely with CEPS on different initiatives. Representatives of CEPS have been invited to form part of national committees including the Social Renaissance Committee, the National Gender Mainstreaming Committee, and the National Commission for Child Protection.

80. Different nongovernmental organisations have participated in the process to compile this report.

F. Concluding remarks and recommendations

81. Regional mechanisms that encourage cooperation between the islands of the Indian Ocean should look into supporting activities that promote and monitor the rights of children.

82. Undertake more research in the area of children and children rights.

III. Definition of the child

A. Definition of the child under Seychelles law

83. The Committee raised the concern that:

(a) Under law there is a different minimum age of marriage for boys and girls;

The Committee, therefore, recommends that the State party:

(a) Review its legislation with a view to rectifying differences in the minimum age of marriage by raising the age for girls to that for boys.

84. Under the Civil Status Act, Parental consent is required if a girl from 15 to 17 years wishes to marry. The age of consent of boys to marry is 18. Proposals to amend this piece of legislation have been approved by the Cabinet of ministers and the amendment is expected to be finalised during 2016.

B. Concluding remarks and recommendations

85. Compliance with article 1, the definition of a child, requires that:

(a) Laws are reviewed in order to improve standardization of age levels, especially for the sake of gender equity in legal provisions;

(b) Laws need to be better monitored to verify implementation.

IV. General principles

A. Non-discrimination (art. 2)

86. The Committee reiterates its previous recommendations and urges the State party to:

(a) Amend its legislation to prohibit discrimination on the basis of gender, disability, socio-economic background and ethnicity;

(b) Adopt and implement a comprehensive strategy addressing all forms of discrimination, including multiple forms of discrimination against all groups of children in vulnerable situations and combating discriminatory societal attitudes;

(c) Collect disaggregated data to enable effective monitoring of de facto discrimination.

87. The principle of non-discrimination enshrined in our Constitution (under Article 27) applies to everyone, although particular groups are not specifically mentioned.

88. In the field of labour, the constitutional principle of non-discrimination is given effect to by Section 46A of the Employment Act 1995, which although not specifically concerned with children, does cover young workers by protecting them from employment decisions made against them by their employers on the grounds of the workers' age, gender, race, or disability, amongst other criteria.

89. In the context of the Seychelles' Decent Work Country Programme, the Ministry of Labour and Human Resource Development also intends to conduct a study to examine the situation in regards to discrimination of women, men youth, elderly and disabled during the course of employment.

90. There is evidence of gross under-representation of girls in the technical and vocational areas in spite of their good academic performance and open door policy of the Government. Gender imbalances in staffing at crèche/primary levels, gender blindness of staff/perpetuate the reinforcement of stereotyping. Underachievement by boys in school is also a concern.

Youth unemployment

91. A survey was commissioned in 2015 about youth unemployment to find out the reasons why despite the availability of jobs a number of youth remained in unemployment. The results of the study will be disseminated in 2016.

92. The Ministry of Education launched its Inclusive Education Policy which emphasizes equal access to quality education for ALL (including those with Special Educational Needs and Disabilities). The Policy has been formulated following wide consultation with key stakeholders. It sets out the Ministry of Education's vision in promoting inclusive education at all stages as recognized by the legal frameworks on education. It also establishes twelve strategic policy areas for coordinated and harmonised intervention to enable the necessary transformation in education to take place towards the goal of a knowledge based society.

B. Best interest of the child (art. 3)

93. The Committee recommends that the State party:

(a) *Take all appropriate measures to ensure that the principle of the best interests of the child, in accordance with article 3 of the Convention, is adequately integrated and consistently applied in all legal provisions, as well as in judicial and administrative decisions and programmes, projects and services that have an impact on children. The legal reasoning of all judicial and administrative judgments and decisions should also be based on this principle;*

(b) *Evaluate the decisions taken by the Family Court and analyse how many of the cases have been resolved in the best interests of the child and take necessary action.*

94. The best interest principle is commonly cited in Family Tribunal orders.

C. Respect for the views of the child (art. 12)

95. In light of article 12 of the Convention and the Committee's general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

(a) *Ensure that children's views are given due consideration in courts, schools, relevant judicial, administrative and other processes as well as in the home in all matters concerning them. . This may be achieved through, inter alia, the adoption of appropriate legislation, the training of professionals working with and for children and the use of information and communication strategies, including campaigns;*

(b) *Undertake regular consultations with children and take into account their opinion on matters affecting them.*

96. Children views are taken into account in all decision relating to access and custody when investigation is taking place by social services and in the Family Tribunal decisions.

97. Inclusive Education embraces the concept of active participation of all in decision making. All schools have structures in place including the School Management and Student Forum that allows children to voice their views and participate in decision making.

98. Disciplinary procedures at school level make provision for children to give their accounts of incidents that concern them.

99. There is high participation of children in the 'Values for one, Values' for all programme by the Seychelles National Youth Council. The values to be celebrated for the year are chosen by children and youths themselves.

Seychelles National Youth Assembly

100. Young people are chosen in their districts by the district authority to participate as Youth Members of Parliament altogether called the Seychelles National Youth Assembly. Youth Members debate current issues. This platform is essentially an educational forum which provides its members with the opportunity to nurture their knowledge and learning as well as to develop their research and oratory skills.

101. Children have taken an active part in the Health of our nation movement at district level. This is a national initiative aimed at promoting the right to health of the citizens of Seychelles.

D. Concluding remarks and recommendations

102. Compliance with article 12 requires that children views are systematically sought in decisions that affect them.

103. Undertake research to determine the extent and causes of boy's underachievement in schools.

V. Civil rights and freedoms

A. Right to a name, nationality and identity (art. 7)

104. The Committee reiterates its previous recommendation and urges the State party to:

(a) *Review and enact legislation in order to ensure that all children born out of wedlock have, as far as possible, the legal right to know and maintain contact with both their biological parents as well as keep the name of their father.*

105. This recommendation is difficult to realise given certain socio-cultural aspects of our country; a possible alternative would be in terms of remedy under the Civil Code where the child can start an action *en recherche de paternité* once he attains the age of 18.

B. Right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment

Violence against Children, including corporal punishment

106. The Committee recommends that the State party:

(a) *Prohibit explicitly by law corporal punishment and so-called "reasonable chastisement" of children in the family, schools, alternative care settings and penal institutions;*

(b) *Introduce sustained public education and awareness raising and social mobilization programmes involving children, families and communities on the harmful effects of corporal punishment with a view to changing attitudes and promoting alternative, positive and non-violent forms of child-rearing and discipline;*

(c) *Prioritize the elimination of all forms of violence against children, and ensure the effective implementation of the recommendations of the United Nations study on violence against children (A/61/299), taking into account the outcome and recommendations of the Eastern and Southern Africa Regional Consultations (held in Johannesburg, South Africa, 18-20 July 2005);*

(d) *Provide information concerning the implementation by the State party of the recommendations of the above-mentioned study in its next periodic report, particularly those highlighted by the Special Representative of the Secretary-General on violence against children, in particular:*

(i) *The development in each State of a national comprehensive strategy to prevent and address all forms of violence and ill-treatment against children; GC No. 13, para. 64 and Alternative Report, p. 43;*

(ii) *The introduction of an explicit national legal ban on all forms of violence against children in all settings; and*

(iii) *The consolidation of a national system of data collection, analysis and dissemination, and a research agenda on violence and ill-treatment against children.*

107. The Social Affairs Department is working closely with the Attorney General's office to repeal section 107(o) (iii) from the Children Act in an effort to remove corporal punishment from the statute book.

108. The Ministry of Education has taken a stance against corporal punishment in state schools. According to its policy corporal punishment is not allowed in schools. This is being reinforced by an amendment to the Education Act to ban corporal punishment in the schools. This amendment is expected to be passed during 2016.

VI. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)

A. Family environment

109. The Committee reiterates its previous recommendation and urges the State party to:

Continue its efforts at legal reform with regard to parental responsibilities;

(a) *Develop measures for preventing family disintegration and strengthening of the family;*

(b) *Consider ratifying the relevant Hague Conventions, namely, Convention No. 23 on the Recognition and Enforcement of Decisions relating to the Maintenance Obligations, Convention No. 24 on the Law Applicable to Maintenance Obligations, and Convention No. 34 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children.*

Study on families

110. In 2011 the Social Affairs Department commissioned a study on the Seychellois family. The study found that the definition of the Seychellois family as we knew it has changed. Formerly family was viewed as married couples with children. However, this definition was questioned and challenged by 61% of respondents, who identified different family types and did not see marriage as the only path to family formation.

111. Additional findings from the Study on Families worth noting are:

- A shift from male to female headed households;
- Changing moral and spiritual values with regards to raising children;
- Increasing pressures and expectations associated with work;
- Most people agree that marriage is a positive influence on family life (93%);
- 70% of respondents feel religion plays a very important role in the family.

112. The study findings were used to inform the development of a National Policy on Family.

Family Policy

113. In 2015 the Social Affairs Department undertook to develop a National Family Policy. The policy is a direct initiative of the Social Renaissance Programme aimed at adding new impetus in the quest for a more stable and functional society. The policy attempts to strike the right balance; one that respects the right of everyone to form a family while preserving the family unit as the natural and fundamental element of society as is laid down in the Constitution of the country. It recognises that the primary responsibility for care-giving lies with parents and other family members. However, when and where necessary, Government will intervene to ensure the protection of family members against all forms of abuse and discrimination. But most importantly, Government through the Policy will ensure that new programmes and services are developed at national and community level to support all families in realizing the key functions that only they can play in society.

Antenatal and post delivery psychosocial support parenting programme

114. Parenting programme for ante-natal clients and their partners was introduced in 2013 as a specific action under the Social Renaissance Action Plan. It is a programme that is carried out in close collaboration with the Ministry of Health. It seeks to empower parents to deliver their roles responsibly from a very early stage. This programme has been extended in 2015 to include a programme for parents at post delivery as well. Together these two programmes have become an important part of the Maternal and Child Health Package aimed at equipping parents with the skills to run a stable and nurturing environment in the home.

Family Support Session

115. In 2015 the Social Affairs Department started a series of family support sessions to assist parents who found it difficult to cope with their child or children's behaviour. The sessions were planned by district with a total of 8 sessions per group. 12 districts were covered in 2015 and the programme continues to be implemented. The topics explored include supervision, life skills, family values, mental stress, family preservation, budgeting and communication. Anyone who wants to join these sessions can contact the social worker in the district to be guided on the schedule.

B. Children deprived of family environment

116. The Committee reiterates its previous recommendation that the State party:

(a) *Review its policies on alternative care for children deprived of a family environment with a view to developing a more integrated, rights-based and accountable system with particular focus on the best interests of the child;*

(b) *Ensure effective monitoring and assessment of placements of children;*

(c) *Take into account the Guidelines for the Alternative Care of Children annexed to the United Nations General Assembly resolution 64/142 of 20 December 2009.*

117. The primary focus of work done with children and families is to support and empower the family to be able to take care of its members. The Director for Social Services is empowered by the Children Act to intervene in situations where children are deemed to require protection. Alternative placement for the child/ children where the need arise is always explored with family members first and institutions only considered as a last resort.

118. Seychelles continues to have only one state owned residential home for children who require alternative care and protection; the President's Village. The other such services are offered by the Catholic Church to compliment the one offered by government. Children admitted to these institutions are done by a Family Tribunal Order and are admitted under a care plan. In such cases the children receive regular visits from the social worker.

Foster care scheme

119. The Children Act makes provision for a foster care programme. The Social Services Division regulates this service. Potential foster parents undergo a rigorous vetting process to ensure that the children will be safe in their care. The allowance paid to the foster parents for their service has been increased in January 2016 from SR 800 to SR 1500 per child in their care. In 2013, the Social Services Division carried out a recruitment drive to increase the amount of people giving this service. There are currently only 9 foster parents on this programme.

Adoption

120. The Social Services is the authority for adoption. Work is ongoing to domesticate the Hague Convention on Inter country adoption to facilitate adoption between convention countries.

VII. Health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)

A. Children with disabilities

121. *The Committee recommends that the State party take necessary measures:*

(a) *To provide children with disabilities with facilities and access to public transportation and public buildings with the aim of their full integration in mainstream public schools and public life.*

122. The Special Education Needs Unit in the Ministry of Education was set up in 2013. The Inclusive Education Policy was introduced in February 2015. Since, access to the mainstream schools has improved and the physical adaptation to school facilities is being made as the need arises. More children with disabilities are now being integrated into

mainstream schooling and provisions for individualised support are being made as necessary.

123. The Inclusive Education Policy also makes provisions for newly built schools to be universally designed. Specialised transport facilities are provided to transport students to their respective schools.

B. Health care and health services

124. *The Committee recommends that the State party*:

(a) *Take measures to raise public awareness on negative health impacts of processed food and establish regulations to restrict and monitor advertising and marketing of unhealthy foods.*

125. The Ministry of Health continues to conduct a series of activities targeted at the communities aimed at promoting the right to health of the citizens of Seychelles. This initiative has been dubbed 'Health of our Nation' movement. In 2014 the focus was 'My Health, My Responsibility'. In 2015 the theme adopted was 'My Health my responsibility. Begins at home'. To promote this theme The Ministry of Health has collaborated with the private sector and the community to show practical examples of how healthy living can be achieved.

126. Two major National Conferences were held in 2014 to sensitise all sectors of the society about this movement. One of the conference targeted children and youth specifically and encouraged them to endorse the 'my health my responsibility' campaign and promote it amongst their peers. Information from these conferences was used to develop the national health policy 2015.

C. Breastfeeding

127. *The Committee recommends that the State party*:

(a) *Strengthen its efforts to promote exclusive and continued breastfeeding by providing access to materials, and educating*;

(b) *Raising awareness of the public on the importance of breastfeeding and risks of artificial feeding*;

(c) *To strictly enforce the International Code of Marketing of Breast-milk Substitutes.*

128. Since the endorsement of the Global Strategy for Infant and Young Child Feeding (GSIYCF) in 2002, Seychelles stepped up efforts to promote, protect and support breastfeeding and major progress has been made including the publication of three key take home educational materials namely Positioning and Attaching your baby at the Breast (2010), Breastfeeding your child exclusively up to 6 months (2009), and Weaning your Baby (2009)available in both the English and Creole languages and are distributed to parents at the hospital. Extensive use of the media has also been made to promote breastfeeding.

129. In 2013 an Infant feeding policy for Seychelles that meets the Ten Steps to Successful Breastfeeding was adopted as part of the efforts towards creating a baby friendly environment. The maternity unit also follows a strict code of marketing of breast milk substitute.

130. The Seychelles Hospital has been accredited baby friendly since 2015. The Ministry of Health worked in close partnership with the World Health Organization (WHO) for implementation of the Baby-Friendly Hospital Initiative (BFHI).

131. In Seychelles, data collection on breastfeeding both on maternity ward and in the community is routine. The statistics from the maternity unit surveillance indicate that exclusive breastfeeding rates upon discharge at maternity was an encouraging 94% in 2014.

D. Adolescent health

132 The Committee recommends that the State party take all necessary measures to:

(a) *Educate children, adolescents and their families about HIV/AIDS and other sexually transmitted diseases, as well as on negative consequences of early pregnancy and abortions;*

(b) *Strengthen its adolescent reproductive health programmes, including life skills education, and allow access to contraceptives for adolescents under the age of 18;*

(c) *Ensure comprehensive health services, confidential counselling and support for pregnant girls.*

133. Statistics from the Ministry of Health shows a continuous reduction in the total number of abortions from 2012 to 2015. However, addressing unwanted pregnancies and the resulting illegal abortions remains a challenge.

134. The Ministry of Education has begun to take steps to review its Teenage Pregnancy Policy 2005, in order to strengthen current measures to prevent teenage pregnancy, and to ensure that teenage mothers are supported to continue their education both during and after their pregnancies.

135. Health education continues to be given to both boys and girls at school level in the form of 'Personal, Social and Civic Education' (PSCE). This subject has been institutionalized into the national school curriculum from primary up to secondary and includes education on sexuality. As part of this subject talks are organized by the Ministry of Health on various topics (for example: HIV/AIDS, Pap smear tests, Contraceptives, adolescent pregnancy, Sexually Transmitted Infections, cancers of reproductive organs, and HPV Vaccine) to youth at school level, and district and national level, including screening opportunities.

136. The Youth Health Centre, which had a second branch launched in 2014 in the South of Mahé, continues to conduct outreach activities, including life skill training sessions on communication and negotiating safer sex practices, and conducting HIV/AIDS screening for in and out of school youths. School Counselors, Health Promotion Officers and teachers often undergo capacity building trainings delivered by experts of the Youth Health Center on sexual and reproductive health best practices in order to enhance their teaching material for students. The Center also provides free access to sexual and reproductive health services which include contraception, diagnosis, treatment and referrals. The Social Affairs Department has also integrated sexual and reproductive health education within its sensitisation programmes for its clients.

137. The Ministry of Health through wide consultation is currently in the process of finalizing two documents, namely the 'National Policy on Sexual and Reproductive Health' and the 'National Adolescent Sexual Reproductive Health Policy'. Also in place is the 'Sexual and Reproductive Health National Strategic Plan and Monitoring and Evaluation Framework (2012–2016)'. These are expected to ensure a more effective response to the various sexual health and reproductive challenges of the country.

138. Contraceptives remain free of charge for all citizens of the Seychelles including the youth and accessible at all Government clinics in each district. At present, consent of parents is required for any treatment of minors below 18 years of age. However, medical professionals often use their discretionary powers to provide minors access to medical treatment, including HIV testing and contraceptives, on the basis of respecting the best interests of the child.

139. The Government continues to be committed to improving the national response to the HIV/AIDS epidemic through the appropriate allocation of resources to support interventions at various levels. One concrete development has been the promulgation of the National AIDS Council Act in 2013 which establishes a Council with specific responsibilities to oversee and take actions to reverse the epidemic.

E. Substance abuse

140. The Committee reiterates its previous recommendation and strongly urges the State party to:

(a) *Take all appropriate measures, including administrative, social and educational measures, to protect children from use of illicit narcotic drugs and alcohol and provide supportive rehabilitation, reintegration and recovery programmes, including psychological counselling, specifically designed for child victims of drug and substance abuse;*

(b) *Impose legal prohibition on advertising of tobacco and alcohol also by privately owned media and advertising companies.*

The crying out campaign

141. The second National Drug Control Master Plan was launched in 2009 and extended to 2012. It was a comprehensive document with a variety of actions aimed at reducing and possibly eliminating illicit drug use, abuse and trafficking in the country.

142. The National Drug Control Master Plan 2014-2018 focuses its attention on issues such as the need for preventive measures to reduce demand for drugs in our most vulnerable section of the population i.e. children and youth. It also gives prominence to rehabilitation and social integration of recovering drug addicts to help the youth regain their dignity and become productive citizens.

143. Children are recognized as a particular vulnerable group amidst the scourge of abuse of substance in our society. The government's effort to tackle substance abuse is relentless. The crying out campaign is amongst one of the awareness raising platforms being used by the Drug and Alcohol Council to give children from a very young age a solid footing to avoid such negative influences. The campaign was launched in 2013 and extends over a period of three years. The aim of the project is to empower school children to sensitize others including their parents on the detrimental effects of substance abuse.

144. The project responds to two categories within the Social Renaissance Action Plan:

(a) Health and Risky Behaviour: develop strategies for advocacy to create an enabling environment for implementing behaviour change programme;

(b) Family and Community Relationships: To increase awareness of danger of substance.

145. Drinking by children is a growing concern for the country. In 2015 a National Alcohol Policy was launched by the Drug and Alcohol Council. The Policy is the outcome of wide discussion, research and community and workplace consultations. It aims to

prevent and minimize alcohol related harm to individuals, families and communities and to develop safer and healthier drinking cultures.

146. The Campaign for Resilience and Education (CARE) is a substance use and abuse prevention organization, registered as an NGO since June 1995 which continues to carry a number of key activities to protect children and support rehabilitation of victims of drug and alcohol abuse. The following (para 139-142) are some of the activities that have been organized during the period under review.

Awareness, Education & Resilience building (Schools based)

147. School CARE Clubs: Exist in all primary and secondary schools of Mahe, Praslin & La Digue with 986 active members as at February 2016. Awareness activities like sessions, workshops at club level as well as whole school level are available all year round on a school term basis as well as during the school holidays. The main expected outcome is behaviour change and character /resilience building. CARE is currently finalizing a new approach to its presence in Secondary schools, with the active participation of all stakeholders, including the students themselves.

Activities for the International Day against Drug Abuse & Illicit Trafficking:

148. A Resilience Relay against drugs was held in 2015 under the theme 'we will not let drugs take control' and in 2016 under the theme 'United and resilient against drugs'.

Drug Awareness/Alcohol Awareness in schools

149. The main aim is to re-enforce awareness, strengthen resilience against drugs and alcohol. Activities vary from sessions on health related issues, sports, nature walks & hikes, performing art etc.

The Rainbow Project

150. The project works with children who have been identified by schools as being at risk and the focus is on character building for resilience against drugs and improved behaviour for better social skills and school performance. The project currently runs in four schools and covers 102 children. CARE however is working with other schools to adopt the Rainbow concept of early intervention through the special needs committees which exist in all schools. The project works with teachers, parents and students and has a strong mentorship component using identified school staff.

F. Standard of living

151. The Committee commends the State party in taking timely measures in social security and social assistance to:

(a) *Mitigate the impact of the ambitious macro-economic reforms of 2008 on children and families in vulnerable situations, including the enactment of the Welfare Agency Act 2008, which revised social security benefits, as well as allocation of funds to assist needy students and development of programmes to strengthen coping skills of families;*

(b) *Take proactive measures to analyze the "pockets of poverty" identified by the UN Country Team's United Nations Seychelles Common Country Assessment (CCA), 2006-2008 and develop a comprehensive policy to eliminate such pockets of poverty particularly as they involve single women headed households and constantly monitor the trends in*

poverty with a view to ensuring adequate standard of living for all children in line with article 27 of the Convention.

152. Following the publication of the results of a study by the National Statistics Bureau and World Bank in 2015, Government has recently announced a number of measures to tackle income poverty which had been estimated to be at 40 percent in Seychelles. The measures include; increase of minimum wage, and income tax reform.

VIII. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

A. Education, including vocational training and guidance

153.

(a) *The Committee reiterates its previous recommendation and urges the State party to:*

(b) *Undertake research on the reasons why students drop out of schools in order to develop durable solutions, including introduction of more motivating school curricula that ensure the children's continuing educational or vocational training, and enhance their opportunities for employment and integration into society;*

(c) *Take necessary steps to increase relevant and more productive vocational training for girls without gender stereotyping;*

(d) *Take urgent measures to improve teacher training for primary and secondary schools, for inclusive education of children with disabilities and for education of children with special needs.*

154. The Ministry of Education has recorded a decrease in the number of dropouts as a result of the introduction of Technical Vocational Education and Training Phase 1, aimed at catering for students with low academic abilities. The Phase 1 Programme makes provision for students in secondary 4 to spend 3 days at school and 2 days in the workplace, whereas those in secondary 5 spend two days in the work place and 3 days in the school. Altogether 642 students have successfully benefitted from the programme since 2011.

155. In 2015 the post of Attendance Officers was introduced following the provisions of the Education Act 2004. One attendance has been allocated per school zone. Their main role is to investigate cases of failure to attend school without excuses and ensure that these students are brought back to school. They work closely with the social workers and the police.

156. More girls are gradually being enrolled in Vocational Centres e.g. Seychelles Institute of Technology, Maritime Training Centre and the Seychelles Agricultural Horticultural Training Centre which used to be traditionally male dominated institutions. In 2015 the Maritime Training School had 37 girls, SAHTC had 24 girls and Seychelles Institute of Technology had 43girls enrolled and they all performed well.

157. The Ministry of Education has introduced three new rehabilitation programmes namely the Alternative Education Programme, the Youth Engagement Programme and the Youth Integrated Engagement Programmes aimed at preventing school drop outs and reducing risky behaviours including substance abuse. Also, on-going at the schools are sensitization campaigns on substance abuse in collaboration with partners and stakeholders.

158. The Education Medium Term Strategic Plan 2013 to 2017 and beyond (MTS) makes provision for training of teachers at pre and in-service levels as well as training in Special Education Needs and Disabilities.

159. In 2015 the Ministry of Education adopted a National Inclusive Education Policy. The Policy is a reflection of the move away from traditional pedagogies to the adoption of more learner centered approaches which recognize that each individual has an ability to learn and a specific way of learning. This has led to the elaboration of a National Action Plan on Inclusive Education through wide consultation. The National Action Plan is expected to be launched in 2016.

B. Concluding remarks and recommendations

160. *Ensure allocation of appropriate resources to sustain programmes aimed at reducing dropouts and delinquency.*

IX. Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)

A. Economic exploitation including child labour

161 The Committee recommends that the State party:

(a) *Study and provide information in its next periodic report on the employment of children in the informal economy and in the tourism industry;*

(b) *Take measures to reinforce the labour inspection system to monitor and detect children working in these sectors;*

(c) *Define a list of hazardous work;*

(d) *Establish the legal requirement on the types of work where children under the age of 18 cannot be employed in accordance with ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.*

162. The minimum employment age established by Regulation 21 of the Conditions of Employment Regulations, 1991 (SI 34 of 1991), as amended in 2000, is 15. It is noteworthy that contrary to what was reported in the previous report, the sub regulations of Regulation 21 of the Conditions of Employment Regulations 1991 allowing children aged 12 to 14 years to participate in work schemes organised for school children on vacation or holidays and to undertake light duties have been repealed in 2000.

163. Regulation 22 of the Conditions of Employment Regulations, 1991, as amended in 2006, does impose certain restrictions for employment of people under 18.

164. These are:

- The prohibition of their employment in hotels, guest-houses, boarding houses, any places where tourists are accommodated, restaurants, shops, bars, nightclubs, dance halls, discotheques or similar places of entertainment or on ships or aircrafts, unless special written permission is granted by the MLHRD, after careful examination of the circumstances of the case, or unless this employment falls under a training scheme approved by the Minister in writing.

- The prohibition of their employment between the hours of 10 p.m. and 5 a.m. unless special written permission is granted by a competent officer of the MLHRD, after careful examination of the circumstances of the case, and
- The strict prohibition of their employment in gaming houses or casinos (a prohibition which even extends to workers up to the age of 21).

165. These indicates that the law provides for the *types of work where children under the age of 18 cannot be employed in accordance with ILO Conventions No.182*, though further provisions, which may include the list of hazardous work which has been drafted with the assistance of the ILO, will be considered in the review of the Employment Act.

B. Sexual exploitation and abuse

166.

(a) In light of its General Comment no. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee urges the State party to:

(b) Continue its efforts to raise awareness of the public and strengthen early detection, prevention and protection mechanisms;

(c) Conduct research on the nature and extent of sexual exploitation and abuse of boy and girl children, including child sex tourism, and provide data on the number of complaints, investigations and prosecutions conducted in this regard;

(d) Undertake a comprehensive study of the root causes of child sexual exploitation and child prostitution which also assesses the magnitude of the problem, proposes durable solutions that address the root causes and evaluates the availability and appropriateness of preventive measures as well as services for the care, protection, recovery and social reintegration of victims;

(e) Ensure that judiciary and law-enforcement officials are specifically trained to handle expeditiously sensitive cases involving children and to change any misconceptions toward the child victims;

(f) Take into account the outcome documents adopted at the 1996, 2001 and 2008 World Congresses against Sexual Exploitation of Children held, respectively, in Stockholm, Yokohama and Rio de Janeiro.

167. As a response to the increase in reported cases of child sexual abuse in 2014 the Social Affairs Department in partnership with other agencies involved in child protection launched a vigorous education campaign. 24 sessions were held in all the 24 primary schools in the country. The sessions featured presentations by different service providers and covered the following topics:

- The trends and patterns of child abuse
- The risk factors
- Child protection procedures
- Child protection service providers
- Prevention of child abuse

168. A Police child protection team was set up in February 2015 under the umbrella of the Social Services Division. The team consists of 4 police officers. They work with child protection to investigate child abuse cases. It has been set up to fast track child abuse cases as the team tackle only cases falling within such category.

169. No research on sexual exploitation was undertaken during the period under review.

170. **Trafficking**

The Committee recommends that the State party:

(a) *Introduce a law that clearly defines human trafficking including child trafficking and establish penalties commensurate with the gravity of the crime;*

(b) *Strengthen measures to protect children who are victims of trafficking and prostitution, and bring perpetrators to justice;*

(c) *Train law enforcement officials, judges and prosecutors on how to receive, monitor and investigate complaints in a child-sensitive manner that respects confidentiality and the best interests of the child and establish a coordinating mechanism among the relevant entities;*

(d) *Implement appropriate policies and programmes for the prevention, recovery and social reintegration of child victims, in accordance with the outcome documents adopted at the first, second and third World Congresses against Sexual Exploitation of Children in 1996, 2001 and 2008;*

(e) *Prioritize the rehabilitation of child victims of trafficking and ensure that education and training, as well as psychological assistance and counselling, are provided to them;*

(f) *Negotiate bilateral agreements and multilateral agreements with countries concerned, including neighbouring countries, to prevent the sale, trafficking and abduction of children, and develop joint plans of action between and among the countries involved.*

171. A new legislation on Prohibition of Trafficking in persons was promulgated in April 2014. The process towards enacting this law has involved wide consultations with representatives of different sectors including with the Cabinet of ministers at the national level with the assistance of international partners, IOM, SADC Secretariat and UNODC. From the Act a Seychelles National Strategic Framework and Action Plan on Trafficking in Persons was launched in November 2014. The purpose of the Act is to provide for matters of human trafficking; from punishment of traffickers to protection of victims of trafficking. It shows that Seychelles does not tolerate trafficking in persons and will ensure that identified victim of trafficking are protected and perpetrators of human trafficking are severely punished.

172. A 'Standard Operating Procedure Manual and Referral Mechanism' to assist victims of trafficking in persons were launched in August 2015. These documents outline the role of all relevant agencies in the fight against trafficking in persons providing a step by step guide to front line officers. Emphasis is on working together in a cohesive and harmonious manner. The mechanism seeks to provide the highest standards of protection to victims of trafficking in persons whilst also placing accent on identification investigation and prosecution.

173. Numerous capacity building sessions have been held on trafficking in persons for front line officers, law enforcement officers, non-governmental organizations and journalists. An awareness raising campaign was launched on the media and a session was also held with Members of the National Assembly in March 2014.

174. As part of the activities under this plan educational campaigns have been carried out in the media to address the limitations in awareness about the facets of the crime amongst the general population.

Helpline

173. The Committee recommends that the State party:

(a) Consider consolidating helplines into a single national helpline for greater efficiency. The helpline should cover the whole country, be accessible 24 hours and should have adequate financial and technical resources as well as personnel trained to respond to children and analyze the calls for appropriate action;

(b) Seek technical assistance in this regard from, inter alia, UNICEF and Child Helpline International.

178. The helpline continues to be one of the most important referral mechanisms for the local child protection with a steady amount of referrals recorded every month. In 2014 a staff of the department benefited from a training workshop with the Children Helpline International in the United Kingdom. Knowledge from the training has been used to assess the use of the local helpline and make it more effective.

C. Administration of juvenile justice

179. The Committee recommends that the State party:

(a) Continue and strengthen its efforts to ensure the full implementation of juvenile justice standards, in particular articles 37, 39 and 40 of the Convention and other relevant international standards, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (the Havana Rules);

(b) Strictly observe the minimum age of criminal responsibility and do not prosecute children under the age of 12 under any circumstances;

(c) Take necessary measures to expedite trials involving children with a view to reducing the period of pre-trial detention;

(d) Ensure that children are held in detention only as a last resort and for as short a time as possible and that their detention is carried out in compliance with the law;

(e) Ensure that children are not detained together with adults, that they have a safe, child-sensitive environment, and that they maintain regular contact with their families and are provided with food and education including vocational training;

(f) Promote alternative measures to detention such as diversion, probation, counselling, community service or suspended sentences, wherever possible;

(g) Make use of the technical assistance tools developed by the United Nations Interagency Panel on Juvenile Justice and by its members, which include UNODC, UNICEF, OHCHR and NGOs, and to seek technical advice and assistance in the area of juvenile justice from the members of the Panel.

179. Funding has been acquired under the UPR voluntary fund to undertake a situational analysis and develop a standard operating procedure (SOP) manual for the juvenile justice system. Findings of the situational analysis were shared with stakeholders in September 2015. The SOP was validated in February 2016. The SOP is expected to bring more synergy in the way actors within the juvenile justice system carry out its mandate and ensure that is it is within a rights based framework.

D. Child victims and witnesses of crimes

179. The Committee also recommends that the State party:

(a) *Ensure, through adequate legal provisions and regulations, that all children victims and or witnesses of crimes, e.g. children victims of abuse, domestic violence, sexual and economic exploitation, abduction, and trafficking and witnesses of such crimes, including those perpetrated by State and non-State actors, are provided with the protection required by the Convention and that it take fully into account the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (annexed to Economic and Social Council resolution 2005/20 of 22 July 2005).*

180. By virtue of the Evidence Act arrangements can be made for the child to give evidence outside the courtroom transmitted through closed circuit television, to give evidence behind a screen , partition or one way glass or to even have a relative or friend by his or her side to provide emotional support.

181. Work is under way to develop domestic violence legislation. It is expected to provide for better safeguards for children who are victims of abuse.

X. Ratification of international human rights instruments

182. *The Committee urges the State party to:*

(a) *Ratify the Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;*

(b) *Ratify the core United Nations human rights instruments to which it is not yet a party, namely the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of all Persons from Enforced Disappearance, and the 1961 Convention on Reduction of Statelessness.*

183. The implications of ratification of most of these instruments are being assessed by the government.

XI. Cooperation with regional and international bodies

184. The Committee recommends that the State party:

(a) *Cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union, especially in its reporting obligations towards the implementation of the African Charter on the Rights and Welfare of the Child.*

185. This 5th and 6th combined report will also be adapted as necessary to be submitted to the African Committee of experts on the Rights and welfare of the child.

XII. Follow-up and dissemination

Follow-up

186. The Committee recommends that the State party

(a) *Take all appropriate measures to ensure full implementation of the recommendations, inter alia, by transmitting them to the Head of State, the Supreme Court, Parliament, relevant ministries and local authorities for appropriate consideration and further action.*

187. The Concluding Observations of 2011 were presented to the Cabinet of Ministers by the Minister for Social Development and Culture who headed the delegation in Geneva that year.

188. The observations were also released to the media and disseminated to the members of the National Commission for Child Protection.

List of references

Finalized WBTi Report Seychelles (2014)

The Seychelles National Drug Control Master Plan (2009-2012)

The Seychelles National Alcohol Policy (June 2015)

Seychelles National Drug Control Master Plan (2014-2018)

Children Act 1982

Project Child Wellbeing Survey, Review report (2012)

Seychelles National Plan of Action for Children Evaluation Report (2012)

Seychelles Framework for Early Childhood Development

Table 1
Summary of Breastfeeding data (2008-2014)

	2008	*2009*	*2010*	*2011*	*2014*
Breastfeeding rate at discharge of maternity	58%	78%	83%	No data analysis	94%(2015 assessment)100%
Exclusive breastfeeding rate					
At discharge	58%	62%	78%	No data analysis	
At six months	1.5%	-	2%	2%	
Exclusive breastfeeding at 6 weeks	28.6%	-	43%	44%	
Initiation of breastfeeding	60%	52%	60%	No data analysis	
Continued breastfeeding					
At 12 months	-	-	46%	26%	
At 24 months	-	-	19%	17%	

7. Please specify progress made in the State party's review of its policies on alternative care for children deprived of a family environment and provide information on measures to increase the number of foster parents and the status of the ratification of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and its incorporation into domestic legislation.

8. Please inform the Committee about the impact of the measures taken to combat alcohol abuse and drug use among children and the results of sexual and reproductive health education programmes, as well as about the prevalence of suicide among children.

9. Please indicate measures taken or envisaged to address the underrepresentation of girls in the technical and vocational training and education sectors, gender imbalances in the staffing of early childhood educational institutions, related gender insensitivity and the underachievement of boys in school. Please also provide the Committee with information on the 12 strategic policy areas contained in the Inclusive Education Policy.

10. Please update the Committee on further measures taken following the adoption of the Prohibition of Trafficking in Persons Act of 2014 and on their impact on efforts to prevent, combat and punish human trafficking and to ensure that child victims are identified, informed of their rights and referred to the appropriate services. Please indicate whether any bilateral and multilateral agreements have been concluded to prevent the sale, trafficking and abduction of children.

11. Please update the Committee on the progress made to include in the Employment Act a list of hazardous work prohibited for children under 18 years and indicate the measures taken to determine occupations or activities prohibited for children under 15 years of age. Please also inform the Committee on the measures taken to increase the effectiveness of child labour monitoring.

12. Please update the Committee on measures taken to bring the administration of juvenile justice into line with the Convention. Please inform the Committee about the age of criminal responsibility and provide information on the separation of children from adult detainees and their treatment in compliance with international standards.

Part II

13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report (CRC/C/SYC/5-6) with regard to:

(a) New bills or laws, and their respective regulations, including those mentioned in the State party's report in so far as they relate to the implementation of the Convention, including the Civil Status Act in relation to the minimum age for marriage;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

14. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources, on concrete measures taken to strengthen the National Human Rights Commission, including the availability of financial and technical assistance in this regard, and on relevant results obtained from and the experience of programme-based budgeting since its implementation.

15. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

(a) Children living with and/or affected by HIV/AIDS and other sexually transmitted diseases;

(b) Teenage pregnancies and abortions;

(c) Drug and alcohol abuse by children;

(d) Children dropping out of school and the ratio of children who have benefited from phase one of the Ministry of Education's Technical Vocational Education and Training programme, introduced in 2011.

16. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

(a) Living in institutions;

(b) Placed in foster care;

(c) Living in adoptive families;

(d) Abandoned by their families.

17. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

18. Please provide data, disaggregated by age, sex and type of offence, for the past three years, on the number of children in the juvenile justice system:

(a) In closed institutions;

(b) In pretrial detention;

(c) Serving criminal sentences.

19. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

20. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.